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**IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF UTAH  
CENTRAL DIVISION**

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JANE DOE 1, INDIVIDUALLY AND FOR THE :  
ESTATE OF JOHN DOE 2, JOHN DOE 1, JANE :  
DOE 2, INDIVIDUALLY AND FOR THE :  
ESTATE OF JOHN DOE 5, JANE DOE 3, JOHN :  
DOE 3, JOHN DOE 4, JANE DOE 4, JOHN DOE :  
6, JANE DOE 5, INDIVIDUALLY AND FOR :  
THE ESTATE OF JOHN DOE 7, JANE DOE 6, :  
JANE DOE 7, JANE DOE 8, JOHN DOE 8, :  
INDIVIDUALLY AND FOR THE ESTATE OF :  
JOHN DOE 16, JANE DOE 9, JOHN DOE 9, :  
JOHN DOE 10, JOHN DOE 11, JOHN DOE 12, :  
JANE DOE 10, JOHN DOE 13, JOHN DOE 14, :  
JOHN DOE 15, JANE DOE 11, INDIVIDUALLY :  
AND FOR THE ESTATE OF JOHN DOE 19, :  
AND FOR THE ESTATE OF JOHN DOE 20, :  
JOHN DOE 17, JOHN DOE 18, JOHN DOE 21, :  
JANE DOE 12, JOHN DOE 22, JOHN DOE 23, :  
JOHN DOE 24, JOHN DOE 25, JOHN DOE 26, :  
JOHN DOE 27, JANE DOE 13, JOHN DOE 28, :  
JANE DOE 14, JOHN DOE 29 and JANE DOE 15, :

Plaintiffs,

v.

HEZBOLLAH

Defendant.

**PLAINTIFFS' MEMORANDUM  
REGARDING THE DELIVERY  
OF THE SUMMONS AND  
COMPLAINT TO THE  
DEFENDANT**

Case No. 2:16-cv-00910

District Judge David Nuffer

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Pursuant to the court's May 15, 2017, order, Plaintiffs hereby provide the court with additional information regarding the delivery of the summons and complaint to defendant, and any discrepancy related thereto.

### **REQUESTED INFORMATION**

- I. Why one set of tracking information for parcel RE418341071US shows only an attempted delivery in December 2016, while another set of tracking information shows the parcel was delivered in January 2017.

The reason there is a discrepancy in USPS's online tracking website is because USPS split the summons and complaint's tracking history into two batches.<sup>1</sup> That occurred because USPS recycles tracking numbers, and the same tracking number that was used for Plaintiffs' summons and complaint was reused for another package.<sup>2</sup> The first batch shows the tracking history from the date of delivery until the date the summons and complaint was attempted to be delivered.<sup>3</sup> The second batch of the package's tracking history shows when it was delivered.<sup>4</sup>

Plaintiffs have provided the court with screen shots from the USPS tracking service, which can be found in Exhibits B-D. However, the court can recreate those pages independently by following these specific steps:

1. Go to USPS tracking at [https://tools.usps.com/go/TrackConfirmAction\\_input](https://tools.usps.com/go/TrackConfirmAction_input).

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<sup>1</sup> Decl. of Pearson McKay Corbett at ¶ 15, attached hereto as Ex. A.

<sup>2</sup> *Id* at ¶ 18.

<sup>3</sup> Search Results from USPS Utilizing Nov. 14, 2016, Search Criteria, attached hereto as Ex. B.

<sup>4</sup> Search Results from USPS Utilizing Jan. 17, 2017, Search Criteria, attached hereto as Ex. C.

2. Enter the tracking number RE418341071US.<sup>5</sup>
3. The web page will then indicate that the tracking number is a duplicate. Click on the “Need More Details” button.
4. To see the first portion of the tracking history, enter “11/15/2016” in the appropriate location when prompted to provide a send date.<sup>6</sup>
5. To see the second portion of the tracking history, including the delivery date, reenter the tracking number but when prompted to provide a send date enter “01/17/2017” in the indicated box.<sup>7</sup>
6. The information provided with the January 17 query demonstrates that the summons and complaint was delivered.<sup>8</sup>

The above steps demonstrate that the summons and complaint were delivered to Defendant.

II. Whether the summons and complaint has been delivered to the defendant.

According to the international USPS representative, the Lebanese postal service delivered the summons and complaint but did not return a signed receipt.<sup>9</sup> However, we do have other proof that the summons and complaint were delivered to Defendant. The international USPS representative confirmed that the package had been delivered.<sup>10</sup> The online USPS tracking website confirms that the summons and complaint were delivered;

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<sup>5</sup> USPS Tracking Home Page with Tracking Number, attached hereto as Ex. D.

<sup>6</sup> Ex. B.

<sup>7</sup> Ex. C.

<sup>8</sup> *Id.*

<sup>9</sup> Corbett Decl. Ex. A at ¶ 10.

<sup>10</sup> *Id.*

both before<sup>11</sup> and after the tracking number was recycled.<sup>12</sup> The USPS tracking website sent an email to Plaintiffs confirming that the package had been delivered.<sup>13</sup>

Because of the material cited herein, Plaintiffs are confident that the summons and complaint were delivered to Defendant on January 20, 2017.

DEWSNUP KING OLSEN WOREL  
HAVAS MORTENSEN

Dated this 1<sup>st</sup> day of June, 2017.

/s/ Charles T. Conrad  
David R. Olsen  
Charles T. Conrad

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<sup>11</sup> Pls.' Motion to Accept Proof of Service, Ex. B, April 6, 2017.

<sup>12</sup> Ex. C.

<sup>13</sup> Pls.' Motion to Accept Proof of Service, Ex. C.